S.B.CIVIL WRIT PETITION NO.16/1994

Surendra Kumar Sharma & Ors.
v.
State of Rajasthan & Anr.

Date of Order :: 4th July, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Sudhir Sharma, for the petitioners.
Mr. S.S.Ladrecha, Additional Government Advocate.

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The Government of Rajasthan by notification No.F17(3)FDGr-2/82 dated 23.1.1985 revised the pay scale No.10 under the Rajasthan Civil Services (Revised Pay Scales) Rules, 1983 w.e.f. 1.2.1985. A challenge is given to the notification referred above by the petitioners alleging that to be discriminatory for the reason that for other similarly situated persons such amendment was introduced w.e.f. 1.9.1981. The same notification was subject matter of DBCivil Writ Petition No.3116/1987, Gopal Dass v. State of Rajasthan & Anr., that came to be accepted by Division Bench of this Court by judgment dated 21.12.1988. Hon'ble Division Bench while accepting the writ petition ordered as follows:-

> "The writ petition is allowed. The respondents are directed to fix the pay of the petitioner in the further revised pay-scale of Rs.610-1090 (Scale No.10) w.e.f. September 1, 1981 and to pay the amount of

difference. The petitioner is also entitled to his pensionary benefits accordingly."

The fact about acceptance of similar petition for writ by Division Bench of this Court has not been disputed by counsel for the respondents.

Accordingly, this petition for writ is also allowed. The respondents are directed to fix the pay of the petitioner in the further revised pay-scale of Rs.610-1090 (Scale No.10) w.e.f. September 1, 1981 and to pay the amount of difference. The petitioner is also entitled to his pensionary benefits accordingly.

No order to costs.

(GOVIND MATHUR),J.

Kkm/ps.